

REMARKS

Status of the Claims

Applicant respectfully requests reconsideration of the instant application in view of the above amendment and the following remarks. Claims 1-27 are pending in the application, with claims 1, 8, 15, and 22 being the independent claims. Claim 11 is currently amended. Applicant believes that this change introduces no new matter. Entry and consideration of this amendment is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-27 are rejected under 35 U.S.C. § 102(b) as being allegedly unpatentable over U.S. Patent No. 4,882,749 to Zuk ("Zuk"). Applicant requests that this rejection be withdrawn for at least the following reasons.

Independent claims 1, 8, 15, and 22 recite features involving a request issued from a second mode to change from one mode of operation to another mode of operation.

Zuk doesn't involve the issuance of a request. Instead, Zuk involves a repeater device that receives signals from a first section of a telephone cable and propagates them onto a succeeding section of telephone cable. More particularly, Zuk discloses techniques for propagating only those received signals having an amplitude greater than a predetermined level and whose frequency is within a predetermined range.

Further distinctions exist between the pending claims and Zuk. For instance, independent claims 1, 8, 15, and 22 recite features involving the selection of an amplitude and a

frequency. The selected amplitude and frequency is for “the another mode of operation”. Also, the selected amplitude and frequency are different than for “the one mode of operation.”

On page 2 of the Office Action, the Examiner asserts that Zuk discloses these features at col. 2, lines 34-53. Applicant respectfully disagrees. This passage in Zuk involves the determination of amplitude and frequency characteristics. However, this passage is silent with respect to the selection of amplitude and frequency, as recited in the independent claims. Moreover, this passage does not disclose modes having different amplitudes and different frequencies.

Accordingly, the features of independent claims 1, 8, 15, and 22 are neither taught nor suggested by Zuk. Therefore, Applicant requests that this rejection be withdrawn.

INVITATION FOR A TELEPHONE INTERVIEW

The Examiner is invited to call the undersigned, Molly A. McCall, at (703) 633-0931 if there remains any issue with allowance of the case.

CONCLUSION

Applicant respectfully submits that all of the stated grounds of rejections have been properly traversed accommodated or rendered moot. Thus, Applicant believes that the present application is in condition for allowance, and as such, Applicant respectfully requests reconsideration and withdrawal of the outstanding objections and rejections, and allowance of this application.

Respectfully submitted,

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